

ORIGINAL

State of Florida



Public Service Commission

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TALLAHASSEE, FLORIDA 32399-0850

RECEIVED-FPSC

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COMMISSION

-M-E-M-O-R-A-N-D-U-M- CLERK

DATE: February 25, 2005

TO: Kay B. Flynn, Chief of Records, Division of the Commission Clerk & Administrative Services

FROM: Richard D. Melson, General Counsel *RD*

RE DOCKET NO. 041169-EI

Please place the attached letters – from Mr. Alcegueire to me and a response from me to Mr. Alcegueire – in the docket file. Thank you.

- CMP _____
- COM _____
- CTR _____
- ECR _____
- GCL _____
- OPC _____
- MMS _____
- RCA _____
- SCR _____
- SEC 1
- OTH _____

DOCUMENT NUMBER-DAT
01994 FEB 28 12
FPSC-COMMISSION CLERK

From: Jude Alcegueire
To: Rick Melson/ General Counsel for PSC

RECEIVED

05 FEB 25 PM 1:35

FLORIDA SERVICE COM.
OFFICE OF THE
GENERAL COUNSEL

Dear Mr. Melson,

Because the law of the state of Florida and the constitution of the state provides some provision and guidance to be applied in accordance with the law

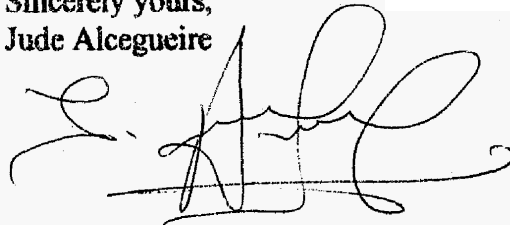
Under the **Florida sunshine law**, documents and records must be available to the public, I am requesting some documents under the **Florida sunshine law** and the **freedom of information act** because **FPL** also regulates by **federal law**. Please send me any provision, practiced, procedure, and law that give **anyone** the authority outside of the **Chairman** of the board the right to assign **commissioners** for hearing, motion, and ect; (See copy attached to letter). Because I have a **Document** from the **PSC** that shows it's **Hong Wang, Sandy Moses, Lee Fulcher, and Nonnye Grant** that give the order of assignment to **Martha Brown** on January 5, 2005 to assign Commissioner **Deason** (See copy exhibit 6 attached) for motion for review of extension for Dockets 041169 and 040660.

2. Send me any documents or records were rule and regulation have not been applied
3. Send me any log sheet or scheduling record were the (approve line) in the log sheet were not **signed** by the **Chairman** or were the case assignment and scheduling record were the rule located on the bottom left hand corner (See copy attached exhibit 2) that was not applied in other cases

4. Send me any document that gives the staff under your authority to disregard, disobey, the rule of law, and make decisions **above** the **board of commissioner**.

Mr. Melson I hope you will **uphold the law** as an officer of the **law** please send me those documents as soon as possible.

Sincerely yours,
Jude Alcegueire



CC Florida attorney general
CC U.S justice department
CC U.S energy department
CC The governor's office
CC Florida state upper/lower house
CC The Orlando Sentinel Miami Herald, Washington Post

State of Florida
County of Broward
Brenda L. Griggs
2/22/05

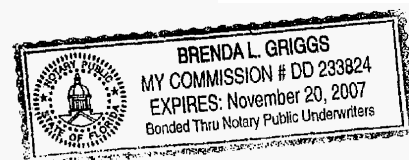


EXHIBIT No 6

From: Hong Wang
Sent: Wednesday, January 05, 2005 12:49 PM
To: Sandy Moses
Cc: Lee Fulcher; Nonnye Grant
Subject: RE: Prehearing Officer assignment

Done..

From: Sandy Moses
Sent: Wednesday, January 05, 2005 12:46 PM
To: Hong Wang; Lee Fulcher; Nonnye Grant
Cc: Martha Brown
Subject: Prehearing Officer assignment

Please reassign the PHO from Administrative to Commissioner Deason for Dockets 041169 and 040660.

EXHIBIT NO. I

Section 1 - Bureau of Records Completes

Docket No. 041169-EI Date Docketed: 09/30/2004 Title: Complaint Nos. 445185E, 446514E, 446515E, and 446516E filed by Mr. Jude Alceguiere against Florida Power & Light Company high bills and other alleged violations of Commission rules and statutes.

Company: Florida Power & Light Company
Jude Alceguiere

Official Filing Date: Expiration:
Last Day to Suspend:

Table with columns: CCA, CMP, ECR, FLL, (GCL), MMS, PIF, RCA. Values: X, X, X.

Section 2 - OPR Completes and returns to CCA in 10 workdays. Time Schedule

Program Module A9
WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT IT IS TENTATIVE AND SUBJECT TO REVISION. FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Table with columns: Staff Assignments, Due Dates (Previous, Current), and numbered rows (1-40) for tasks like 'Close Docket or Revise CASR'.

Section 3 - Chairman Completes Assignments are as follows:

Two tables: 'Hearing Officer(s)' with columns for Commissioners (ALL, BZ, DS, BD, DV, ED) and Staff Exam; and 'Prehearing Officer' with columns for Commissioners (BZ, DS, BD, DV, ED) and ADM.

Where panels are assigned the senior Commissioner is Panel Chairman: the identical panel decides the case. Where one Commissioner, a Hearing Examiner or a Staff Member is assigned the full Commission decides the case.

Approved: Pending
Date:

BEFORE THE PUBLIC SERVICE COMMISSION

In re: Complaint Nos. 445185E, 446514E, 446515E, and 446516E filed by Mr. Jude Alcegueire against Florida Power & Light Company for high bills and other alleged violations of Commission rules and statutes.

DOCKET NO. 041169-EI
ORDER NO. PSC-05-0037-PCO-EI
ISSUED: January 11, 2005

ORDER DENYING EXTENSION OF TIME

On December 17, 2004, the Commission issued Proposed Agency Action Order No. PSC-04-1252-PAA-EI (PAA Order) dismissing Mr. Alcegueire's complaints against Florida Power & Light Company (FPL). On page 6 of the PAA Order, in the Notice of Further Proceedings or Judicial Review, the Commission stated that any person whose substantial interests were affected by the proposed action could file a petition for a formal proceeding in the form provided by Rule 28-106.201, Florida Administrative Code, which must be received by the Division of the Commission Clerk and Administrative Services by the close of business on January 7, 2005.

The Commission also stated that if no petition was filed by that date the PAA Order would become final and effective and the docket would be closed. The Commission's Notice of Further Proceedings is consistent with the provisions of Rule 25-22.029, Florida Administrative Code, entitled "Point of Entry into Administrative Proceedings," which provides that a person must file a request for an administrative hearing within 21 days of the issuance of the notice of proposed action.

Uniform Procedural Rule 28-106.111, Florida Administrative Code, which also addresses the point at which a person becomes subject to the rights and obligations of Florida's Administrative Procedure Act, allows an extension of time for filing a request for hearing if requested before the time for filing expires. Subsection (3) of that rule states:

(3) An agency may, for good cause shown, grant a request for extension of time for filing an initial pleading. Requests for extension of time must be filed with the agency prior to the applicable deadline. Such requests for extensions of time shall contain a certificate that the moving party has consulted with all other parties, if any, concerning the extension and that the agency and any other parties agree to said extension. A timely request for extension of time shall toll the running of the time period for filing a petition until the request is acted upon.

By letter dated December 28, 2004, Mr. Alcegueire requested an extension of time. Mr. Alcegueire's reason for requesting an extension of time appears to be that he did not receive a letter from Commission staff mailed to him before the Commission considered his complaint at its November 30, 2004, Agenda Conference, and he therefore did not have time to respond to the



A TRUE COPY
ATTEST *Kay Jean*
Chief Bureau of Records

DOCUMENT NUMBER-DATE

00391 JAN 11 05

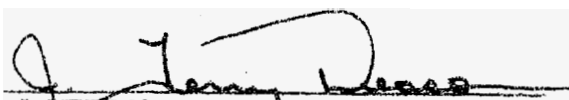
FPCO-COMMISSION CLERK

staff recommendation on which the Commission based its decision in the PAA Order.¹ Mr. Alcegueire states that an extension of time should be granted in order to correct what Mr. Alcegueire considers an administrative failure to provide him due process of law by providing him with the time to present his side of the story.

Mr. Alcegueire's letter does not comply with Rule 28-106.111(3), Florida Administrative Code, permitting extensions of time to file a protest. Mr. Alcegueire does not identify good cause for the extension, and he does not certify that he contacted FPL and FPL agreed to the extension. It also appears that Mr. Alcegueire may be asking the Commission to reconsider its PAA Order based on his claim that he was given insufficient time to respond in writing to the staff recommendation. Under Rule 25-22.060(1)(a), Florida Administrative Code, however, the Commission will not entertain a motion for reconsideration of a Notice of Proposed Agency Action. Mr. Alcegueire's recourse at this point in the complaint proceeding is to request a formal administrative hearing. Mr. Alcegueire's December 28, 2004, request for an extension of time is therefore denied.

Pursuant to Rule 28-106.111(3), a request for an extension of time tolls the time for filing a protest to the Commission's PAA order until the request for an extension of time is addressed. The original date to timely file a protest to the PAA Order was January 7, 2005. Therefore, if Mr. Alcegueire decides to file a protest, it must be received by the Director, Division of the Commission Clerk and Administrative Services within 10 days from the date this Order is issued. As the PAA Order states, the protest must comport with the provisions of Rule 28-106.201, Florida Administrative Code.

By ORDER of Commissioner J. Terry Deason, as Prehearing Officer, this 11th day of January, 2005.


J. TERRY DEASON
Commissioner and Prehearing Officer

(S E A L)

MCB

¹ It should be noted here that consideration of the staff's original recommendation scheduled for the November 2, 2004, Agenda Conference was deferred at Mr. Alcegueire's request. Further, Mr. Alcegueire did receive the staff recommendation for the November 30, 2004, Agenda Conference, and was informed that he could participate in the Agenda by phone, but he declined to do so.

made by the panel, unless a reassignment is made by the Chairman.

THE LAW →

b. Final decisions in cases assigned to one Commissioner, a DOAH administrative law judge, or a staff member for hearing are to be made by the majority of the full Commission.

3. Assignments made or approved by the Chairman may be changed only by the Chairman except that:

a. A majority of the Commissioners may determine that the full Commission shall sit in a proceeding, and

b. Petitions that proceedings be assigned to the full Commission timely filed by persons having standing to so file are to be disposed of by the full Commission.

4. In recommending and making assignments, the following should be taken into account:

a. The provision in the Commission's Statement of Agency Organization and Operations that assignments are to be made randomly;

b. The workloads of the individual Commissioners; and

c. The following criteria, as set forth in Section 350.01(6), F.S.:

"...the overall general public interest and impact of the pending proceeding, including but not limited to...

"...the magnitude of a rate filing, including the number of customers affected and total revenues requested;

"the services rendered to the affected public;

"the urgency of the requested action;

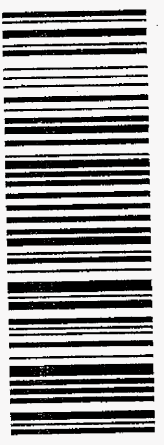
"the needs of the consuming public and the utility;

appropriate discovery actions and, as required, guide the staff in the completion of preparations for the hearing.

[History: Revised 5/20/82; IA 11/15/82; 10/23/85; 6/3/86, Nomenclature Changes; 11/24/87; IA 3/6/91; 8/31/93; APM Reformatted and Reissued 7/1/94; ED 8/5/94; ED 4/9/96; ED 2/97; ED 10/01; ED 3/02; ED 9/9/03]

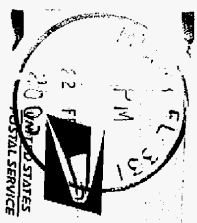
JUDE ALCOVARA
2913 SW 6 ST
MCRA MAR FL 33023

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ATTN: Rick Nelson ES 993347013



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Florida PSC
CAPITAL CREDIT OFFICE ET
ASCO SITUWARD OAK BL
TAMM ASSOCIATES
954-989-0850

COMMISSIONERS:
BRAULIO L. BAEZ, CHAIRMAN
J. TERRY DEASON
RUDOLPH "RUDY" BRADLEY
CHARLES M. DAVIDSON
LISA POLAK EDGAR

STATE OF FLORIDA



GENERAL COUNSEL
RICHARD D. MELSON
(850) 413-6248

Public Service Commission

February 25, 2005

BY CERTIFIED MAIL

Mr. Jude Alcegueire
2913 SW 68th Avenue
Miramar, FL 33023

Dear Mr. Alcegueire:

I am writing in response to your certified letter and your voice mail message to me, both of which were received today. Your letter made a public records request for four categories of items which I interpret as follows:

1. Any rule or procedure allowing anyone other than the Chairman to assign Commissioners for hearing or to assign a single Commissioner to serve as prehearing officer.

Enclosed is a copy of Section 2.05 of the Commission's Administrative Procedures Manual (which has been provided to you previously).

Under Section 2.05.B.1, cases involving proposed agency action decisions are generally assigned to the full Commission, as was done in your case. As shown by the signed vote sheet previously furnished to you, the full Commission voted on the Proposed Agency Action Order issued December 17, 2004 that dismissed your complaints against FPL.

Under Section 2.05.B.5.a, in cases assigned to the full Commission, the Chairman may assign a single Commissioner as prehearing officer whose duty is to rule on motions and procedural matters, such as your request for extension of time to protest the PAA Order. Under Section 2.05.C.4, the Chairman has delegated to the Division of the Commission Clerk and Administrative Services (CCA) the administrative authority to "assign[] a Prehearing Officer based on the rotation schedule established by the Chairman's office." In your case, the assignment of a Prehearing Officer was required in January in order to rule on your motion. Personnel from the Chairman's office and CCA assigned Commissioner Deason, who was the Commissioner designated for January assignments under the rotation schedule approved by the Chairman.

2. Documents or records in which the rules [regarding assignments] have not been applied.

We are not aware of any such documents.

3. Any log sheet or scheduling record where the approval line was not signed by the Chairman.

Case Assignment and Scheduling Records are processed in batches by the Division of Commission Clerk and Administrative Services (CCA) as shown by APM Section 2.05.C.4. At any time, there will be a batch of CASRs that have not yet been initialed by or on behalf of the Chairman. As part of the issuance process, CASRs are initialed on behalf of the Chairman by authorized personnel in CCA. We are not aware of any CASRs that have been processed to completion that are not initialed on behalf of the Chairman. A copy of the initialed CASR in your case, which was in batch processing the last time we corresponded, is attached to this letter.

4. Any document that gives the PSC staff the authority to disregard the rule of law or to make decisions on behalf of the Commission.

There are no documents that give the PSC staff the authority to disregard applicable Florida Statutes or applicable Commission rules. As I have tried to explain to you previously, the Commission staff processed your case in full compliance with applicable statutes and rules.

There are various provisions in the Commission's Administrative Procedures Manual that delegate authority for certain actions to the Commission staff. Except for Section 2.05 (which is attached in response to Item 1), I am not aware of any such provisions that were relied upon in the processing of your case. As you have previously been advised, the full Commission voted to issue the PAA Order and Commissioner Deason, as Prehearing Officer, made the decision to deny your request for extension of time by order issued January 11, 2005. Neither of these decisions was made by the staff.

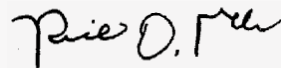
In addition, as stated in the "Notice of Further Proceedings or Judicial Review" of the PAA Order, the order would become final and effective unless a substantially affected party such as you filed a petition for formal proceeding by January 7, 2005. Because your request for extension of time tolled the running of the protest period, this date was ultimately extended to January 21, 2005. When you chose not to file a timely protest, the staff on January 25, 2005 administratively issued a Consummating Order and closed the docket.

Mr. Jude Alcegueire
Page 3
February 25, 2005

In regard to the request in your voice mail message that I refer alleged wrongdoing by the Commission staff to the Attorney General for criminal prosecution, let me reiterate that there has been no such wrongdoing and I do not intend to take any further action.

Since more than 30 days has passed since the issuance of the Consummating Order and you chose not to file an appeal as set out in that order's "Notice of Further Proceedings or Judicial Review," the Commission's decisions in your case are now final and nonappealable.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard D. Melson". The signature is written in a cursive style with a large initial "R" and "M".

Richard D. Melson

RDM/mee

cc: Blanca Bayó (for docket file)
Dr. Mary Bane

2.05 ASSIGNMENT OF PROCEEDINGS BY THE CHAIRMAN (OPR: CCA)

A. PURPOSE

To state procedures by which the Chairman's statutory authority to assign proceedings to Commissioners, hearing officers or staff is to be implemented; and to reflect the Commission's overall policy that all cases are to move from receipt to final disposition without unnecessary delay.

B. POLICIES

Those policies which bear directly upon and govern these procedures are as follows:

1. Assignments of cases are made by the Chairman; in so doing, staff recommendations may be taken into account. Sections 350.01(5) and (7) provide that the Chairman has the authority to assign the various proceedings pending before the Commission requiring hearings to one or more Commissioners or to hearing officers. Generally, all cases shall be assigned to the full Commission for initiating action (i.e., decisions initiating investigations, interim increase decisions in rate cases, and proposed agency action decisions, for example). However, when there are less than five Commissioners available for assignment or when the caseload or statutory deadlines require it, the Chairman may assign the initiating action to a panel.
2. The Chairman may reassign proceedings once (1) initiating action has been taken by the full Commission and (2) it is established that a hearing is required. Such assignments may be to one or more Commissioners, to a Division of Administrative Hearings (DOAH) administrative law judge or to a staff member. The Chairman may also reassign cases when an apparent conflict of interest arises. Commissioners who desire to be assigned to or removed from particular cases should so advise the Chairman.
 - a. Final decisions (i.e., decisions subsequent to hearing or on stipulations in lieu of hearing) in cases assigned to panels of Commissioners are to be

made by the panel, unless a reassignment is made by the Chairman.

- b. Final decisions in cases assigned to one Commissioner, a DOAH administrative law judge, or a staff member for hearing are to be made by the majority of the full Commission.
3. Assignments made or approved by the Chairman may be changed only by the Chairman except that:
 - a. A majority of the Commissioners may determine that the full Commission shall sit in a proceeding, and
 - b. Petitions that proceedings be assigned to the full Commission timely filed by persons having standing to so file are to be disposed of by the full Commission.
 4. In recommending and making assignments, the following should be taken into account:
 - a. The provision in the Commission's Statement of Agency Organization and Operations that assignments are to be made randomly;
 - b. The workloads of the individual Commissioners; and
 - c. The following criteria, as set forth in Section 350.01(6), F.S.:
 - "...the overall general public interest and impact of the pending proceeding, including but not limited to...
 - "...the magnitude of a rate filing, including the number of customers affected and total revenues requested;
 - "the services rendered to the affected public;
 - "the urgency of the requested action;
 - "the needs of the consuming public and the utility;

"value of service involved;

"the effect on consumer relations, regulatory policies, conservation, economy, competition, public health, and safety of the area involved."

5. The prompt, effective handling of prehearing conferences, motions and procedural matters (including changes in time schedules) will improve continuity and responsiveness in the processing of cases. Assignments of responsibilities for such functions vary slightly from one kind of hearing assignment to another. These responsibilities are to be assigned as follows:

a. Cases assigned to the Full Commission:

The Chairman may assign a single Commissioner as Prehearing Officer. The Prehearing Officer is to rule on motions and procedural matters and conduct prehearing conferences. The Chairman will approve changes in oral argument, hearing and decision dates.

b. Cases assigned to panels of Commissioners:

The Chairman will assign a single Commissioner as Prehearing Officer. The Prehearing Officer is to rule on motions and procedural matters and conduct prehearing conferences. Changes in oral argument, hearing and decision dates are to be approved by the Chairman.

c. Cases assigned to a single Commissioner for hearing:

That Commissioner is to rule on motions and procedural matters which occur prior to referral of such cases to the Commission for final decision. Changes in oral argument, hearing and decision dates are to be approved by the Chairman.

d. Cases assigned to a DOAH Administrative Law Judge for hearing:

The Chairman may assign a Commissioner as Prehearing Officer to rule on motions and procedural matters which occur prior to the transmittal of these cases to the administrative law judge, and those which occur after the administrative law judge's recommendation has been issued and prior to referral of such cases to the Commission for final decision. Hearing dates are to be set by the administrative law judge. Changes in decision dates are to be approved by the Chairman.

e. Cases assigned to a staff member for hearing:

The Chairman may assign a Commissioner as Prehearing Officer to rule on motions and procedural matters which occur prior to referral of such cases to the Commission for final decision. If a Commissioner is not assigned, the staff member assigned to preside at the hearing shall also serve as Prehearing Officer. Changes in hearing and decision dates are to be approved by the Chairman.

6. Except for specific approvals reserved to the Chairman in the above subparagraphs, proposed revisions in dates for events in the time schedule are to be approved by the Commissioner assigned to the case to rule on motions and procedural matters. The Director of the Division of the Commission Clerk and Administrative Services may, however, approve the following types of time schedule revisions:

- a. Revisions resulting directly from a Commission action on either a related or unrelated matter (i.e., deferral of an item on Agenda Conference to a specific future conference, cancellation of an Agenda Conference, a Prehearing Officer's approval of a party's request for an extension of time to file, etc.).
- b. Revisions providing for monitoring or follow-up actions by the staff after Commission decision, and for which the requirement for further Commission action is absent or unknown (i.e., monitoring of construction activities, refunds, etc.).

- c. Revisions providing an ongoing schedule for cases assigned to DOAH for hearing which do not change the Commission's decision date.
- d. Revisions for cases which have moved into litigation status following Commission action.
- e. Revisions providing for additional Commission action upon expiration of the Case Assignment and Scheduling Record (CASR) schedule.
- f. CASRs scheduling or rescheduling a hearing where a Case Scheduling/Rescheduling Advise form (CSRA) has been issued by the Chairman's office.

C. PROCEDURE

1. The Division of the Commission Clerk and Administrative Services, upon receipt of each filing, petition, application, or other pleading is to refer the matter, either by forwarding a copy of the filing or by automatically generated e-mail notification, to the appropriate staff/division not later than the first working day after receipt. A computer-generated Case Assignment and Scheduling Record (CASR) form (Form No. PSC/CCA 015-C) is also forwarded.
2. The OPR is to further evaluate each case and complete Section 2 in the following manner:
 - a. Make and enter staff assignments, securing and entering the names of the staff counsel and representatives of the Office(s) of Collateral Responsibility (OCRs) (See Paragraph 3.a. below);
 - b. Enter recommendations for the Chairman on hearing and deciding assignments;
 - c. Determine and indicate the hearing requirement(s) (See Paragraph 3.b. below);
 - d. Complete the time schedule; and

- e. Forward all CASRs, with Section 2 completed, to the Division of the Commission Clerk and Administrative Services by the tenth workday after receipt with copies to each OCR; exception: CASRs for Staff-Assisted Rate Cases are to be completed and forwarded by the twenty-second workday after receipt.
3. In completing Section 2 of the CASR the OPR is to be assisted by other staff offices as follows:
 - a. Upon contact by the OPR, the Office(s) of Collateral Responsibility [OCR(s)] and the Attorney Supervisors in the Office of the General Counsel (if that office is not OPR) should provide the names of staff members who are assigned to the case, collaborate in developing the time schedule and generally assist the OPR in initially reviewing the case and in completing the CASR within the allotted number of workdays.
 - b. During preparation of the time schedule for a case which will or is likely to involve hearing(s) by one or more Commissioners, the OPR is to contact the Scheduling Coordinator-PSC with suggested hearing date(s) and location(s). The Scheduling Coordinator is to coordinate those factors among the Chairman and Commissioners, inform the OPR of firm arrangements, and issue a Case Scheduling/Rescheduling Advice form (CSRA) reflecting the Prehearing and Hearing Officer assignments and the hearing date(s).
 - c. Staff from the Division of the Commission Clerk and Administrative Services arrange facilities for Commissioner-attended out-of-town hearings in accordance with the CSRA reflecting an out-of-town hearing assignment. The facility must be as close as possible to the affected utility's service territory, and must meet all requirements of the Americans with Disabilities Act and Florida's Government-in-the-Sunshine law. If possible, public facilities at minimal or no cost to the Commission are to be secured, and when Commissioner, staff, or public safety is a concern,

off-duty law enforcement officers are to be hired for purposes of security.

4. The Division of the Commission Clerk and Administrative Services accumulates the CASRs completed by the OPRs, reviews the forms for completeness and accuracy and, pursuant to authority in Subsection B.1., administratively approves the schedule based on established criteria, assigns a Prehearing Officer based on the rotation schedule established by the Chairman's office, and assigns the full Commission to cases not requiring hearing. For cases set for hearing, the Prehearing and Hearing Officer assignments are those set forth on the CSRA issued by the Chairman's office. The approved CASRs are forwarded to the master docket files, which are readily available to all staff on the Local Area Network. Copies of CASRs are made available to applicants, petitioners and other interested persons, and are mailed to parties with a cover letter stating that the schedule will be adhered to unless subsequently changed in accordance with these procedures.

5. Revision of Time Schedules

Any revision of a hearing, decision or other established time schedule, required for good cause, proposed to or by the OPR should also be agreed to by the OCR/staff counsel and approved by the Director of the OPR division or designee. The revised CASR should be forwarded to the Division of the Commission Clerk and Administrative Services along with a summary of the circumstances requiring the revision. A copy of the revised CASR should be provided to the OCR(s)/staff counsel at this time.

a. The Division of the Commission Clerk and Administrative Services accumulates revised CASRs, prepares a summary listing of the revisions and reasons therefor, and forwards them to the Chairman's Office on a weekly basis. The Chairman's aide reviews the revised CASRs, noting changes in decision dates, and coordinates review and approval with the Chairman and/or other Commissioners in accordance with the approval

authorities set forth in Paragraph B.6. Upon a decision by the appropriate Commissioner, the CASRs are returned to the Division of the Commission Clerk and Administrative Services where the original is placed in the master file and copies distributed to parties of record.

CASR revisions approved administratively pursuant to Section B.6. are exempt from these steps. They are to be forwarded to the Division of the Commission Clerk and Administrative Services for review and approval and then to the master file with copies to parties of record.

6. Responsibilities of the OPR and the assigned attorney from the Office of the General Counsel
 - a. The OPR retains overall responsibility for management of each assigned case until it is transferred or disposed of. This includes setting, in coordination with other responsible staff members, the place, timing and schedule of events in the case, as well as the other actions listed under OPR responsibilities elsewhere in this manual.
 - b. Except when the Office of the General Counsel is OPR, it is that division's responsibility to maintain an attorney-client relationship with the OPR and to handle all legal procedures associated with the case in consonance with that relationship. Where the Office of the General Counsel is OPR, all of the OPR's management responsibilities apply and are in addition to the division's legal responsibilities.
 - c. Staff counsel is to assist the OPR in completing the CASR within the allotted workday period by determining, in coordination with the staff and interested parties, if a hearing will be required and the proposed location and date of such hearing. Staff counsel shall also perform other required preliminary legal functions. Subsequently, as the case matures, the staff counsel is to participate in the initial analysis of the issues, take

appropriate discovery actions and, as required, guide the staff in the completion of preparations for the hearing.

[History: Revised 5/20/82; IA 11/15/82; 10/23/85; 6/3/86, Nomenclature Changes; 11/24/87; IA 3/6/91; 8/31/93; APM Reformatted and Reissued 7/1/94; ED 8/5/94; ED 4/9/96; ED 2/97; ED 10/01; ED 3/02; ED 9/9/03]

Section 1 - Bureau of Records Complete

Docket No. 041169-EI Date Docketed: 09/30/2004 Title: Complaint Nos. 445185E, 446514E, 446515E, and 446516E filed by Mr. Jude Alceguiere against Florida Power & Light Company for high bills and other alleged violations of Commission rules and statutes.

Company: Florida Power & Light Company
Jude Alceguiere

("O" indicates OPR)

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Section 2 - OPR Completes and returns to CCA in 10 workdays.

Time Schedule

Program Module A9

WARNING: THIS SCHEDULE IS AN INTERNAL PLANNING DOCUMENT
IT IS TENTATIVE AND SUBJECT TO REVISION.
FOR UPDATES CONTACT THE RECORDS SECTION: (850) 413-6770

Staff Assignments

OPR Staff

M Brown

2 Current CASR revision level

Due Dates
Previous Current

1.	Close Docket or Revise CASR	01/12/2005	01/24/2005
2.	Consummating Order if No Protest - Close Docket	01/11/2005	01/24/2005
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Staff Counsel

M Brown

OCRs (ECR)
(RCA)

C Kummer
R Hicks

Recommended assignments for hearing and/or deciding this case:

Full Commission Commission Panel
Hearing Staff

Date filed with CCA: 01/11/2005

Initials OPR _____
Staff Counsel _____

Section 3 - Chairman Completes

Assignments are as follows:

Commissioners						Hrg Exam	Staff
ALL	BZ	DS	BD	DV	ED		
X							

Commissioners

~~Pending~~ 1/21/05